



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF ADMINISTRATION AND RESOURCES MANAGEMENT
CINCINNATI, OHIO 45268

DEC 20 2013

Mr. Gregory McDowell

RE: Freedom of Information Act Request No. EPA-HQ-2014-001347

Dear Mr. McDowell,

This letter is in response to your Freedom of Information Act (FOIA) request dated November 21, 2013, which was assigned FOIA Request No. EPA-HQ-2014-001347. That request concerns information pertaining to GS-14 "Assistant Special Agent in Charge" promotion opportunities within the U.S. EPA Office of Criminal Enforcement, Forensics, and Training (OCEFT) and Criminal Investigations Division (CID) from January 1, 2012 to November 21, 2013. Your request was assigned to this office on November 29, 2013.

Save for certain exceptions which you enumerated, you requested copies of job announcements, emails, and briefing sheets for "Assistant Special Agent in Charge" promotion opportunities, as well as documents associated with any situations in which no one applied for those opportunities. As noted, your request specified GS-14 "Special Agent in Charge" positions. However, that job title does not exist within the Agency's official classification titles.

Consequently, I contacted you by email on December 3, 2013, seeking clarification of your request. You responded via email that same day with a vague description of the position for which you were seeking information. Based on that information, it appears the position you were trying to identify is a GS-14 "Supervisory Criminal Investigator". Therefore, I have enclosed copies of the responsive records in the possession of the Cincinnati Human Resources Shared Service Center pertaining to GS-14 "Supervisory Criminal Investigator" promotional opportunities within the time frame you stipulated. These records include documentation concerning the job announcement and associated email correspondence.

As noted above, you also requested copies of the "briefing sheets" associated with any of these job opportunities. Therefore, in that same December 3 email, I also sought clarification of what you meant by "briefing sheets", as the Cincinnati Human Resources Shared Service Center neither maintains nor was anyone aware of the existence of any such documents. Your email response advised that these "briefing sheets" were documents that had been disseminated in the work unit via email. Consequently, that part of your FOIA request has been referred to the Office of Enforcement and Compliance Assurance (OECA), OCEFT and CID for response.

As to the responsive records which are being provided as an attachment to this letter, some of those documents are being released in total, while other documents have been redacted. Under the FOIA, there are nine exemptions which provide a basis for withholding information. For the redacted information in the attached material, I have included the exemption relied upon for the redaction.

Exemption 2 of the FOIA protects records that are related solely to the internal personnel rules and practices of an agency (i.e., records relating to issues of employee relations and human resources which implicate conditions of employment in the federal government, such as hiring, firing, work rules, etc.). It applies to information that is internal in nature, for which there is no genuine or significant public interest. Consequently, redactions have been made to the enclosed documents to avoid disclosing the weights and evaluative material for the subject vacancies, as well as access information for the E2 Hire system.

Under the FOIA, you have the right to appeal this decision to the National Freedom of Information Officer. The mailing address to file an appeal is: United States Environmental Protection Agency, Office of Environmental Information, Records, Privacy and FOI Branch (2822T), 1200 Pennsylvania Ave., N.W., Washington, D.C. 20460. If you file an appeal and use a delivery service other than the USPS, the address for courier or hand delivery is: National Freedom of Information Act Officer, United States Environmental Protection Agency, 1301 Constitution Avenue, NW, Room 6416 West, Washington, D.C. 20004. An appeal may also be filed by email to hq.foia@epa.gov.

Regardless, your appeal must be received within 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30-day limit. Your appeal should reference HQ-FOI-2014-001347. Finally, if you file the appeal by US mail or use a commercial delivery service, include an annotation on the envelope stating "Freedom of Information Act Appeal".

If you have any questions concerning the documentation which has been provided, please contact Lonnie Gates at (513) 569-7388. Please provide your FOIA request number in all communications.

Sincerely,



Nancy C. Ciccarello, Deputy Director
Cincinnati Human Resources Shared Service Center

cc: Lonnie Gates
Nancy Porter
Cindy Kirchmer

Enclosures: Releasable and Redacted Documents